

REMARKS/ARGUMENTS

Applicant thanks the Examiner for a thorough review of the above-referenced application. Applicant has amended independent Claim 9 to include the limitation of dependent Claim 12. Applicant has cancelled Claim 12 without prejudice. Applicant requests reconsideration of Claims 9-11 and Claims 13-20 in view of the Amendments and Remarks set forth herein

The Rejections Under §§ 102 and 103 Are Moot

The Office Action rejected Claims 9, 11, 13, and 17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,453,163 to Ginsberg. The Office Action rejected Claims 10 and 20 under 35 U.S.C. § 103(a) over the Ginsberg '163 patent. The Office Action indicated that Claims 12, 14-16, 18 and 19 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant respectfully disagrees that U.S. Patent No. 6,543,163 to Ginsberg teaches or suggests the sign recited in independent Claim 9 as originally filed. Nonetheless, in order to further the prosecution of the present application, Applicant has amended independent Claim 9 to include the limitation of dependent Claim 12 and cancelled Claim 12. The amendments entered herein are without prejudice and Applicant expressly reserves the right to file continuation, divisional and/or continuation-in-part applications directed to other embodiments of the invention, including without limitation those set forth in the withdrawn claims. In view of the above-referenced Amendments, Applicant submits that the rejections under §§ 102 and 103 are now moot.

Consideration Of Previously Submitted Information Disclosure Statement

While a copy of the PTO Form 1449 that was submitted with Applicant's Information Disclosure Statement filed February 15, 2002, was attached to the Office Action, the copy was not initialed by the Examiner. Accordingly, it is requested that an initialed copy of the Form 1449 be forwarded to the undersigned with the next communication from the PTO. In order to

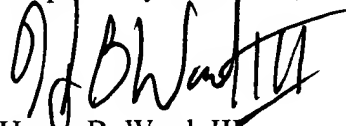
facilitate review of the references by the Examiner, a copy of the Information Disclosure Statement and the Form 1449 are attached hereto. A copy of the cited reference was provided at the time of filling the original Information Disclosure Statement, and, therefore, no additional copy of the reference is submitted herewith. Applicants will be pleased to provide an additional copy of the reference upon the Examiner's request if it proves difficult to locate the original reference.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. Examiner Davis is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Henry B. Ward, III
Registration No. 42,212

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

In re: Noble

Appl. No.: 09/973,576

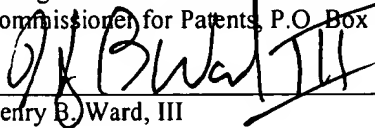
Filed: October 9, 2001

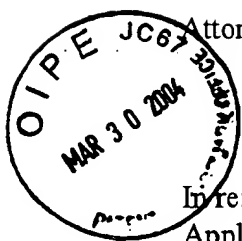
Page 9

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 23, 2004


Henry B. Ward, III



Attorney's Docket No. 38421.234372

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Christopher D. Noble
Appl. No.: 09/973,576
Filed: October 9, 2001
For: REFLECTIVE SIGNAGE

Group Art Unit: 3628

February 15, 2002

Commissioner for Patents
Washington, DC 20231


RECEIVED
APR 05 2004
GROUP 3600

INFORMATION DISCLOSURE STATEMENT
CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a form PTO-1449 listing a description of a reflective holographic Christmas tree sign, together with five (5) color photographs of the subject sign. It is requested that the Examiner consider this art and officially make it of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. Applicant acknowledges that this art was sold in department stores prior to the filing of Applicant's application.

Respectfully submitted,

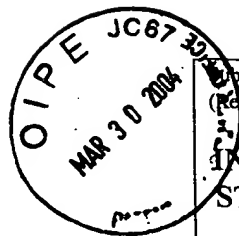

Henry B. Ward, III
Registration No. 42,212

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Washington, DC 20231, on February 15, 2002.


Elaine Kelly



Institute for form 1449A/PTO
(Revised 10/2001)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1	Complete if Known	
				Application Number	09/973,576
				Filing Date	October 9, 2001
				First Named Inventor	Christopher D. Noble
				Group Art Unit	3628
				Examiner Name	Not assigned
				Attorney Docket Number	38421.234372

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T

NON PATENT ITEMS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	1	Reflective holographic Christmas tree sign purchased at a Wal-Mart Department Store in Department 18, prior to the filing date of Applicant's application.	

CLT01/4520002v1

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.